

APPENDIX A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.
Plaintiff,
v.
GOOGLE INC.
Defendant.

Case No. CV 10-03561 WHA
**[ORACLE'S PROPOSED] SPECIAL
VERDICT FORM**

YOUR ANSWERS MUST BE UNANIMOUS.

1. Is Google's use of Java 2 Standard Edition Version 1.4 and Java 2 Standard Edition Version 5.0 a "fair use"?

Yes _____ (finding for Google) No _____ (finding for Oracle)

(ANSWER THE FOLLOWING QUESTIONS IF YOU ANSWERED "NO" TO QUESTION 1.)

2. Is Google's infringement willful?

Yes _____ (finding for Oracle) No _____ (finding for Google)

3. What amount of actual damages, if any, should Google pay to Oracle?

4. What amount of profits attributable to the infringement, if any, should Google pay to Oracle?

5. What amount of statutory damages, if any, should Google pay to Oracle for infringement of Oracle's copyrighted works? (The award cannot be less than \$750 nor more than \$30,000 for each work, unless Google's infringement was willful, in which case the award for each work can be up to \$150,000.)

Java Standard Edition 1.4: \$

Java Standard Edition 5.0: \$

Dated:

FOREPERSON